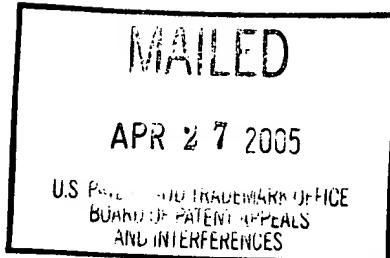


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES



*Ex parte* IRWIN JEROLD SINGER and  
CHARLES EDWARD BOLIAN II

Application No. 09/954,807

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

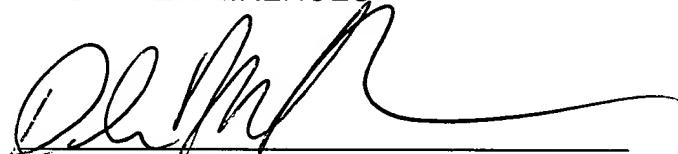
This application was electronically received at the Board of Patent Appeals and Interferences on February 8, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below.

An Information Disclosure Statement (IDS) was filed March 11, 2003. It is not apparent from the record that the examiner properly considered the IDS submitted nor notified appellants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the Examiner for  
1) consideration of the March 11, 2003 IDS, 2) written notification to appellant regarding  
the result of the examiner's consideration, and 3) for such further action as may be  
appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



Dale M. Shaw  
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DMS/eld

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